IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

ARBITRATION PETITION NO.54 OF 2006

...

Crescendo Music Pvt. Ltd. ...Petitioner

v/s.

Pan Music and Magazines Ltd. ...Respondent

...

Mr.Chetan Kapadia i/b Rustamji & Ginwala for the Petitioner.

None for the Respondent.

...

CORAM: D.K.DESHMUKH, J.

DATED: 14TH MARCH,2006

P.C.:

By this Petition the Petitioner challenges the award made by the learned sole arbitrator.

2. The principal challenge to the award is that on the contract stamp duty has not been paid. Finding recorded by the learned counsel is that because this is an assignment of copy right, no stamp duty is required to be paid.

3. Finding recorded is a possible finding. All other findings on which the learned Counsel advanced the arguments are essentially findings of fact and after having gone through the detailed award made by the learned arbitrator, I find that the findings are findings which are possible to be recorded on the basis of material available on record. Findings, therefore, cannot be disturbed in the extremely limited jurisdiction of this court under Section 34 of the Arbitration Act. Petition is, therefore, rejected.

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